



DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2012-0011]

Advisory Committee on Construction Safety and Health (ACCSH)

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for nominations for membership on ACCSH.

SUMMARY: The Assistant Secretary of Labor for Occupational Safety and Health (OSHA Assistant Secretary) invites interested persons to submit nominations for membership on ACCSH.

DATES: Nominations for ACCSH must be submitted (postmarked, sent, transmitted, or received) by [INSERT DATE 60 DAYS AFTER PUBLICATION OF THE FEDERAL REGISTER].

ADDRESSES: You may submit nominations and supporting materials by one of the following methods:

Electronically: Nominations, including attachments, may be submitted electronically at <http://www.regulations.gov>, the Federal e-Rulemaking Portal. Follow the online instructions for submitting nominations;

Facsimile: If your nomination and supporting materials, including attachments, do not exceed 10 pages, you may fax them to the OSHA Docket Office at (202) 693–1648; or

Mail, express delivery, hand delivery, and messenger or courier service: Submit your nominations and supporting materials to the OSHA Docket Office, Docket No. OSHA-2012-0011, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350 (TTY number (877) 889-5627). The Department of Labor and OSHA's Docket Office accepts deliveries by hand, express mail, messenger, and courier service are accepted during normal business hours, 8:15 a.m. – 4:45 p.m., e.t.

Instructions: All nominations and supporting materials must include the Agency name and docket number for this Federal Register notice (Docket No. OSHA-2012-0011). Because of security-related procedures, submitting nominations by regular mail may result in a significant delay in their receipt. Please contact the OSHA Docket Office for information about security procedures for submitting nominations by hand delivery, express delivery, and messenger or courier service. For additional information on submitting nominations, see the "Public Participation" heading in the Supplementary Information section below.

All submissions in response to this Federal Register notice, including personal information provided, are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions interested persons about submitting personal information such as Social Security numbers and birthdates.

Docket: To read or download submissions in response to this Federal Register notice, go to Docket No. OSHA-2012-0011 at <http://www.regulations.gov>. All documents in the docket are listed in the <http://www.regulations.gov> index; however, some documents (*e.g.*, copyrighted material) are not publicly available to read or

download through that webpage. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office.

FOR ADDITIONAL INFORMATION

For press inquiries: Mr. Frank Meilinger, OSHA, Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-1999; email meilinger.francis2@dol.gov.

For general information: Mr. Damon Bonneau, OSHA Directorate of Construction, Room N - 3468, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone 202-693-2020; email bonneau.damon@dol.gov.

SUPPLEMENTARY INFORMATION:

The Assistant Secretary invites interested persons to submit nominations for membership on ACCSH.

Background. ACCSH is a continuing advisory committee established under Section 107(e) of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701, 3704(d)), generally known as the Construction Safety Act (CSA), to advise the Secretary of Labor (Secretary) in the formulation of construction safety and health standards, as well as on policy matters arising under the CSA and the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 *et seq.*). In particular, 29 CFR 1911.10(a) and 1912.3(a) provide that the Assistant Secretary shall consult with ACCSH whenever the Agency proposes any safety or health standard that affects the construction industry.

ACCSH operates in accordance with the CSA, the OSH Act, the Federal Advisory Committee Act (FACA)(5 U.S.C. App. 2), and regulations issued pursuant to those statutes (29 CFR part 1912, 41 CFR part 102-3). ACCSH generally meets two to four times a year.

ACCSH membership. ACCSH is comprised of 15 members who the Secretary appoints.

The categories of ACCSH membership, and the number of new members to be appointed, are:

- Five members who are qualified by experience and affiliation to present the viewpoint of employers in the construction industry -- three employer representatives will be appointed;
- Five members who are similarly qualified to present the viewpoint of employees in the construction industry -- three employee representatives will be appointed;
- Two representatives of State safety and health agencies -- one representative from a State safety and health agency will be appointed;
- Two public members, qualified by knowledge and experience to make a useful contribution to the work of ACCSH, such as those who have professional or technical experience and competence with occupational safety and health in the construction industry -- one public representative will be appointed; and
- One representative the Secretary of the Department of Health and Human Services designates and the Secretary appoints -- no new appointment will be made.

ACCSH members generally serve staggered two-year terms, unless they resign, cease to be qualified, become unable to serve, or the Secretary removes them (29 CFR 1912.3(e)). The Secretary may appoint ACCSH members to successive terms. No member of ACCSH, other than members who represent employers or employees, shall

have an economic interest in any proposed rule that affects the construction industry (29 CFR 1912.6).

The Department of Labor is committed to equal opportunity in the workplace and seeks broad-based and diverse ACCSH membership. Any interested person or organizations may nominate more than one individual for membership on ACCSH. Interested persons also are invited and encouraged to submit statements in support of nominees.

Submission requirements. Nominations must include the following information:

- (1) Nominee's contact information and current employment or position;
- (2) Nominee's resume or curriculum vitae, including prior membership on ACCSH and other relevant organizations and associations;
- (3) Categories of membership (employer, employee, public, State safety and health agency) that the nominee is qualified to represent;
- (4) A summary of the background, experience, and qualifications that addresses the nominee's suitability for each of the nominated membership categories;
- (5) Articles or other documents the nominee has authored that indicate the nominee's knowledge, experience, and expertise in occupational safety and health, particularly as it pertains to the construction industry; and
- (6) A statement that the nominee is aware of the nomination, is willing to regularly attend and participate in ACCSH meetings, and has no conflicts of interest that would preclude membership on ACCSH.

Member selection. ACCSH members are selected on the basis of their experience, knowledge, and competence in the field of occupational safety and health, particularly as it pertains to the construction industry. Information, received through this

nomination process, in addition to other relevant sources of information, will assist the Secretary in appointing members to ACCSH. In selecting ACCSH members, the Secretary will consider individuals nominated in response to this Federal Register notice, as well as other qualified individuals.

Public Participation

Instructions for submitting nominations. All nominations, supporting documents, attachments, and other materials must identify the Agency name and the docket number for this Federal Register notice (Docket No. OSHA-2012-0011). You may submit materials: (1) electronically, (2) by FAX, or (3) by hard copy. You may supplement electronic submissions by attaching electronic files. If you wish to supplement electronic submissions with hard copy documents, you must submit them to the OSHA Docket Office and clearly identify your electronic submission by Agency name and docket number (Docket No. OSHA-2012-0011) so the materials can be attached to your electronic submission.

Because of security-related procedures, materials submitted by regular mail may experience significant delays. For information about security procedures concerning materials delivered by hand, express delivery, and messenger or courier service, please contact the OSHA Docket Office.

All submissions, including personal information provided, will be posted in the docket without change. Therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates. Guidance on submitting nominations and supporting materials is available on-line at

<http://www.regulations.gov> and from the OSHA Docket Office.

Access to docket. All submissions in response to this Federal Register notice are

listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download from that Webpage. All submissions, including materials not available on-line, are available for inspection and copying at the OSHA Docket Office. For information about accessing materials in Docket No. OSHA-2012-0011, including materials not available on-line, contact the OSHA Docket Office.

Electronic copies of this Federal Register document are available at <http://www.regulations.gov>. This document, as well as news releases and other relevant information, also is available at OSHA's Webpage at <http://www.osha.gov>.

AUTHORITY AND SIGNATURE:

David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice under the authority granted by section 7 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656), section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704), the Federal Advisory Committee Act (5 U.S.C. App. 2), 29 CFR part 1912, 41 CFR part 102-3, and Secretary of Labor's Order No. 1-2012 (77 FR 3912).

Signed at Washington, DC, on November 2, 2012.

David Michaels,
Assistant Secretary of Labor for Occupational Safety and Health.

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